

UNITED STATES DISTRICT COURT
for the
Middle District of North Carolina

In the Matter of the Search of }
 (Briefly describe the property to be searched or identify the person by name and address) }
 Padded Flat Rate Envelope EI547918770US, located at }
 Moore County Sheriff's Office, 302 S McNeill Street, }
 Carthage, NC 28327 }
) Case No. 1:23-mj-90

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Padded Flat Rate Envelope EI547918770US, located at Moore County Sheriff's Office, 302 S McNeill Street, Carthage, NC 28327

located in the Middle District of North Carolina, there is now concealed (identify the person or describe the property to be seized):

U.S. currency, money orders, monies, or proceeds and payments, and documents reflecting the distribution of controlled substances through the U.S. Mail.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- evidence of a crime;
- contraband, fruits of crime, or other items illegally possessed;
- property designed for use, intended for use, or used in committing a crime;
- a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
21 USC 841(a)	Distribution/Possession with Intent to Distribute Controlled Substances
21 USC 846	Conspiracy to Distribute/Possess Controlled Substances
18 USC 1956 and 1957	Laundering of Monetary Instruments/Engaging in Monetary Transactions

The application is based on these facts:

See attached Affidavit.

- Continued on the attached sheet.
- Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

/s/ Tyler Cheek

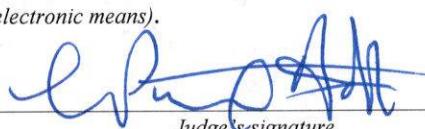
Applicant's signature

Tyler Cheek, Task Force Officer

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
telephone _____ (specify reliable electronic means).

Date: 02/22/23



Judge's signature

Hon. L. Patrick Auld, United States Magistrate Judge

Printed name and title

AFFIDAVIT

The undersigned, being duly sworn, deposes and states:

1. I, Tyler Cheek, am a United States Postal Inspection Service ("USPIS") Task Force Officer and have been so employed since 2022. I am currently assigned to the Contraband Interdiction and Investigations Team in Raleigh, North Carolina and am responsible for the investigation of narcotics, drug trafficking organizations, and money laundering. I have received training by the USPIS, and members of the USPIS, in the investigation of controlled substances or proceeds/payments being transported through the United States. I am a Detective Sergeant with the Moore County Sheriff's Office have been a sworn deputy with the Moore County Sheriff's Office Since May of 2016. I started my career with the Moore County Sheriff's Office as a Detention Officer at the Moore County Detention Center in May of 2016. I have received over 1,000 hours of law enforcement training. I have received this training from the North Carolina Justice Academy as well as others across the state. In November of 2018 I attended the Federal/State Drug Investigation Training Conference. In September of 2020 I became certified as a Prescription Drug Diversion Investigator. I have assisted other agencies in numerous drug violations and investigations related to the sales and possession of illegal narcotics. I am familiar with the appearance of scheduled prescription pills, powder

cocaine, crack cocaine, marijuana, and methamphetamines. I am also familiar in the manner in which all of it is packaged for distribution and sales. In March of 2018 I was promoted to Detective Sergeant and began working with the Narcotic's Division at the Moore County Sheriff's Office as a Narcotics Investigator. I have been involved in and have assisted in numerous drug investigations and arrests since becoming a Narcotics Investigator.

2. This affidavit is submitted for the limited purpose of establishing probable cause for the search warrant sought. I have not set forth each and every fact known to me concerning this investigation. I have included what I believe are facts sufficient to establish probable cause that violations of Title 21, United States Code Sections 841(a) and 846, and Title 18, United States Code, Sections 1956 and 1957, have occurred, are occurring, and will occur. The information contained in this affidavit is based upon my personal knowledge and investigation, as well as information conveyed to me by other law enforcement agents and employees.
3. In or around March 2022, the USPIS and Drug Enforcement Administration ("DEA") initiated an investigation into a Drug Trafficking Organization ("DTO") operating between the Middle District of North Carolina and the District of Arizona. A review of United States Postal Service ("USPS") business records identified multiple packages that were

mailed from the Middle District of North Carolina, as well as other Districts within the United States, to multiple addresses within the District of Arizona. USPS business records confirmed one of these addresses was 12727 W. Glendale Ave, Lot 50, Glendale AZ 85307. USPIS Inspector Wicks suspected the packages to contain drug proceeds, based on the identification of fictitious names, fictitious addresses, and other information he knows through his training and experience to be indicative of drug trafficking.

4. A further review of USPS business records identified packages mailed from the District of Arizona to the Middle District of North Carolina, which Inspector Wicks believed to contain drugs. I know through my training and experience that DTOs routinely send drugs from source state locations and then receive the drug proceeds from the non-source state to various addresses. The drugs are often provided on consignment or paid for in advance of receiving the drug shipments.
5. On March 23, 2022, Inspector Wicks conducted a review of USPS business records pertaining to this investigation and identified Priority Mail Package 9505 5107 2628 2080 3279 72 (hereafter, "Subject Parcel 1") that was mailed from Phoenix, Arizona, to 420 Center Baptist Church Road, Jackson Springs, NC 27281. On this same date, the Honorable United States Magistrate Judge L. Patrick Auld issued a search warrant (1:22 MJ 145) for Subject Parcel 1. A search of Subject Parcel 1 led to the seizure of

approximately 1,417 grams of a substance that field tested positive for the presence of methamphetamine.

6. On February 3, 2023, I conducted a review of USPS business records pertaining to this investigation and identified Priority Mail Express Package EI160642614US (hereafter, "Subject Parcel 2") that was mailed from Greensboro, NC, to 12727 W. Glendale Ave, Lot 50, Glendale AZ 85307. Subject Parcel 2 was addressed from "Garrett Larson," with a listed sender's address of 1410 Gracewood Dr, Greensboro, NC 27408. Subject Parcel 2 was addressed to "Carmen Valenzuela", with a listed receiving address of 12727 W Glendale Ave, Lot 50, Glendale, AZ 85307. The sender's name of "Garrett Larson" was found to be fictitious, the significance of which is listed below.
7. On February 6, 2023, the Honorable United States Magistrate Judge L. Patrick Auld issued a search warrant (1:23 MJ 62) for Subject Parcel 2. A search of Subject Parcel 2 was conducted and it was found to contain a portable safe. Located within the safe was \$20,000.00 in U.S. currency that was vacuum sealed. Packaging material contained within Subject Parcel 2 was sent to the USPIS laboratory for fingerprint analysis. On February 17, 2023, the Forensic Laboratory Examination Report was returned for Subject Parcel 2. The report indicates fingerprints belonging to Nicholas Tyler Curry were present on the examined packaging material. Subject

Parcel 2 was later returned to the mail stream.

8. On February 21, 2023, I conducted a review of USPS business records pertaining to this investigation and identified Priority Mail Express package EI547918770US (hereafter, "Subject Parcel 3") mailed from Greensboro, North Carolina. Subject Parcel 3 was confirmed to be in transit to 12727 W. Glendale Ave, Lot 50, Glendale AZ 85307. Based on the above information, I traveled to the Greensboro USPS facility located at 1120 Pleasant Ridge Road and conducted a review of Subject Parcel 3. Subject Parcel 3 was confirmed to have been mailed from Greensboro, the label was handwritten in ink, and the postage was paid for in cash. I then transported Subject Parcel 3 to the Moore County Sheriff's Office.
9. The Subject Parcel is described as follows:
 - A. Addressed to: "Carmen Valenzuela 12727 W. Glendale Ave Lot 50 Glendale, Az 85307"
 - B. From: "Garrett Larson 1410 Gracewood Dr. Greensboro, Nc 27408"
 - C. Size: approximately 9 1/2" X 12 1/2"
 - D. Weight: approximately 2 pounds 4.5 ounces
 - E. Postage affixed: \$29.45
 - F. Physical description: a white and blue padded flat rate envelope bearing tracking number EI547918770US with packing tape.
10. I conducted a review of available law enforcement databases and

determined that Carmen Valenzuela does associate with the address of 12727 W. Glendale Ave Lot 50. I also conducted a review of available law enforcement databases and determined that no one by the name of Garrett Larson associates with the address of 1410 Gracewood Dr., Greensboro, NC 27408. As previously noted, this name was previously found to be fictitious as it relates to the mailing of Subject Parcel 2.

11. Priority Mail Express was established for business-to-business mailings. Due to the high cost of shipping, and the possibility of a package not being delivered to the intended location, businesses and individuals who use Priority Mail Express consistently list a return address in the instance the package cannot be delivered to the intended location. Thus, this allows the package to be returned to the sender's address. It is also common for individuals to use abbreviated names to deter law enforcement from identifying them.
12. It is my request that if the contents of Subject Parcel 3 are revealed to be U.S. currency, money orders, monies, or proceeds and payments, and documents reflecting the distribution of controlled substances, and also contain cover and/or concealment materials such as sealed envelopes, inner boxes, or similar related packaging materials, that law enforcement be afforded the option to seize only the non-monetary contents and related packaging or cover materials for the purpose of obtaining latent fingerprints

and DNA evidence, if feasible. If this option is employed, law enforcement will then replace the cover and/or concealment materials, inner boxes, or similar related packaging materials with replica cover and/or concealment materials, inner boxes, or similar related packaging materials. The U.S. currency, money orders, monies, or proceeds and payments, and documents reflecting the distribution of controlled substances will be documented via photographs and other means, then be placed back into the replica cover and/or concealment materials, inner boxes, or similar related packaging materials, and Subject Parcel 3 will be placed back into the U.S. Mail for delivery.

13. I am aware, through my training and experience, that people who utilize the U.S. Mail to distribute controlled substances and/or monetary payments related thereto commonly use fictitious names and addresses to attempt to avoid detection by law enforcement agencies. I am also aware that Arizona is a source state, and that North Carolina is a known destination for controlled substances through the U.S. Mail.
14. I am aware, also through training and experience, that people often use the U.S. Mail, specifically Express, Priority Mail Express and Priority Mail, for the delivery of controlled substances and narcotics proceeds for various reasons, some of which are listed below:
 - A. Items sent via Express, Priority Mail Express, and Priority Mail are

considered First-Class Mail. Therefore, these items cannot be examined without a federal search warrant.

- B. Express, Priority Mail Express, and Priority Mail are generally expected to be delivered in one to three days. This assures the sender of expedited delivery.
- C. Various dispatch times (times which a mailed item is transported to the next destination) are available to customers upon request and provide the sender an opportunity to have some control as to the arrival of the mailed item.
- D. Individuals desiring to either send or receive controlled substances and payments for these substances through the U.S. Mail can do so without having to provide identification. This reduces the possibility of revealing their true identity.
- E. Individuals use the U.S. Mail to send payment, often large sums of currency, for the controlled substances they have purchased. It is common for the currency to come into contact with the narcotics during drug transactions. It is further common for the currency to pick up the odor of narcotics when they come into contact. The narcotic odor on currency typically dissipates after approximately one week.

Information Regarding the Use of a Drug Detecting Canine

15. On February 21, 2023, Deputy Letarte of the Harnett County Sheriff's Office ("HCSO"), assigned to the Uniform Patrol Division as a canine handler, was contacted regarding the Subject Parcel 3. Deputy Letarte and drug detecting canine Athena ("Athena"), responded to the Moore County Sheriff's Office in the Middle District of North Carolina.
16. Subject Parcel 3 was placed in a lineup with four other parcels at the Moore County Sheriff's Office, none of which contained a controlled substance. Athena walked among the parcels. Athena alerted only to Subject Parcel 3 by sitting and staring at the Subject Parcel 3, which was Athena's signal to indicate the scent of a controlled substance. The examination took place at approximately 8:30 p.m. on February 21, 2023.
17. Deputy Letarte has been a sworn law enforcement officer for the past four years and is currently employed as a deputy sheriff with HCSO. Deputy Letarte has received over 180 hours of instruction and training in narcotics enforcement, narcotics related investigations, criminal/drug interdiction and legal updates while attending basic, intermediate and advanced police schools. Deputy Letarte has initiated and/or assisted in hundreds of narcotics related investigations and has initiated and/or supervised hundreds of investigations leading to the arrest and conviction of narcotics users, street level dealers and traffickers in the State of North Carolina.

18. In September of 2020, Deputy Letarte was selected by the HCSO to be a canine handler with HCSO. Deputy Letarte and Athena are a certified narcotics detection team through the International Police Work Dog Association ("IPWDA"). Deputy Letarte and Athena are credited with locating large quantities of illegal narcotics and bulk United States currency while conducting criminal interdiction investigations, and assisting with various local, state, and federal narcotics investigations.
19. In 2022, Athena was donated by K9 Orchard Knolls. Athena is a female Belgian Malinois, a breed specifically selected for their keen senses and ability to be trained to detect the odor of controlled substances. Deputy Letarte and Athena attended and successfully completed the HCSO canine training program, which consisted of over 200 hours of training in which Deputy Letarte and Athena were trained and tested as a canine team in their proficiency in locating the odors of crack cocaine, cocaine HCL, heroin, methamphetamine and ecstasy. Athena has proven to be consistent, reliable, and proficient in the detection of the above listed odors.
20. Deputy Letarte and Athena were originally certified as a Narcotics Detection Team by the International Police Working Dog Association in the detection of crack cocaine, cocaine HCL, heroin, methamphetamine and ecstasy. Deputy Letarte and Athena most recently certified as a Narcotics Detection Team with the International Police Work Dog Association on

February 2, 2023. This certification is valid for 15 months from the date of issuance.

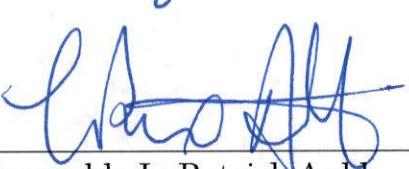
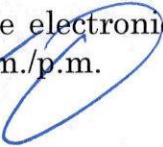
21. Athena is trained to “passively alert” after detecting the odor of narcotics for which she has been trained. This “passive alert” consists of a physical reaction which ultimately ends in her coming to a sitting position when the odor of narcotics, for which she is trained, is detected. Athena also exhibits various mental and physical reactions which are noticeable to Deputy Letarte, which include changes in her behavior such as becoming possessive of the area, a refusal to leave an area where the odor of narcotics is detected, and changes in her breathing rate and sniffing patterns.
22. Athena undergoes frequent training for the detection of concealed controlled substances, which is on-going in order to ensure her proficiency. Deputy Letarte also frequently consults various periodicals and law enforcement bulletins to stay informed about current trends utilized by narcotics traffickers to include advanced narcotic concealment and packaging methods.
23. Deputy Letarte and Athena have assisted various local, state, and federal law enforcement officers in hundreds of narcotics investigations. Deputy Letarte has successfully demonstrated the ability to properly deploy and maintain a police narcotics canine and effectively locate controlled substances with the assistance of Athena that have been concealed in a

variety of locations.

Conclusion Regarding Probable Cause

24. Based on the above facts, I have probable cause to believe that Subject Parcel 3 will contain contraband and/or evidence in violation of Title 21, United States Code, Sections 841(a)(1) and 846, and Title 18, United States Code, Sections 1956, and 1957. As such, I respectfully request that a Search Warrant be issued for Subject Parcel 3.

/s/ Tyler Cheek
Tyler Cheek
Task Force Officer
USPIS

In accordance with Rule 4.1(b)(2)(A), the Affiant attested under oath to the contents of this Affidavit, which was submitted to me by reliable electronic means, on this 22nd day of February, 2023, at 3:07 a.m./p.m.  

The Honorable L. Patrick Auld
United States Magistrate Judge